HARRY J. BINDER CHARLES E. BINDER

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HARULU BAER U.S. DISTRICT JUDGE S. D. N.Y.

Via Facsimile: 212-805-7901

January 4, 2008

Honorable Harold Baer, Jr. United States District Judge United States District Court Southern District of New York Daniel Patrick Moynihan United States Courthouse 500 Pearl Street New York, NY 10007-1312

RE: Felipa Palacios v. Commissioner of Social Security

Civil Action No.: 07-CV-10958 (HB)

Dear Judge Baer:

I have received your order for a conference on the above captioned letter. This case is a Social Security Disability appeal. There is no discovery nor any pre-brief issue. Normally, the parties would agree to a briefing schedule subject to your approval. Since there will be no material that is not in the transcript and since the government must supply a transcript as part as their answer, may I suggest that the plaintiff's brief be due 30 days from the time of the receipt of the transcript and government has 30 days in which to respond. It has been taking the government approximately 4 to 6 months to transcribe the hearing and supply all the documentation. Of course the United States Attorney's office would have more information about the present status of supplying transcripts on Social Security appeals. For those reasons, may I request that the conference be adjourned as unnecessary, that the briefing schedule be set for either 30 days afte reserving the transcript or a reasonable period therefore that the court

Susan D. Baird, Esq. cc:

Assistant United States Attorney

Via Facsimile: 212-637-2750

TOTAL P.01

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Endorsement:

I'll adjourn the conference but you put your finger on the problem, i.e., why should the plaintiff wait 4-6 months sometimes after waiting years to get to this point. Please inquire as to why there is so long a process and be back to me within 30 days and if its only a lack of typists tell me that.